

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nandu J. Marketkar

Serial No. 09/751,526

Filed: December 29, 2000

For: Electromagnetic Coupler Alignment

Commissioner of Patents
 Box Non-Fee Amendment
 Washington, D.C. 20231

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OCT 31 2002 10/11/02

Group Art: 2827

TECHNOLOGY CENTER 2800

Examiner: Alcala, J.

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Commissioner for Patents
 Washington, D.C. 20231

on October 31, 2002 (Date)

Printed Name Clara Wallin

Signature Clara Wallin

RESPONSE

Dear Sir,

In response to the restriction in the Office Action dated October 2, 2002, Applicants elect group I, claims 1-16, 25-30. Please cancel claims 17-24 without traverse. Applicants reserve the right to prosecute the cancelled claims in a divisional application.

In response to the requirement to elect a species and list claims readable thereon, Applicants respond as follows:

Listing of claims readable on each species:

Species 1 (Figs. 1-2) – Claims 1-7, 11-13, 25-30

Species 2 (Figs. 3-12) – Claims 1-7, 11-13, 25-30

Species 3 (Figs. 13-20) – Claims 8-10, 14-16

Species 4 (Fig. 21) – Claims 1-7, 11-13, 25-30

Analysis and election of species

Applicants maintain that Species 1 and 2, as defined by the Examiner, are the same species. Figs. 1 and 2 show electrical schematics of embodiments of the claimed apparatus, while Figs. 3-12 show physical descriptions of embodiments of the claimed apparatus. Since independent claims 1, 11, 25, and 28 (and therefore all the dependent claims as well) each recite both physical limitations and electrical (conductive area) limitations, each of the independent claims reads on Figs. 1-2 and also reads on Figs. 3-12. The drawings identified by the Examiner with Species 1 and 2 merely show different aspects of the same claimed apparatus.

Figs. 13-20 (species 3) show embodiments of the base and arm claimed in claims 8-10 and 14-16. However, since claims 8-10 depend from claim 1 (species 1, 2) and claims 14-16 depend from claim 11 (species 1, 2), claim 1 represents a generic claim for claims 8-10 and claim 11 represents a generic claim for claims 14-16. For this reason, Applicants maintain that the claims of species 3 should be prosecuted concurrently with the claims of species 1 and/or 2.

Fig. 21 (species 4) shows a system with multiple copies of the single apparatus claimed in the claims of species 1 and/or 2. None of the present claims recite such multiple copies. However, the above-described apparatus claims do not exclude multiple copies of the recited apparatus and therefore read on the embodiment of Fig. 21.

For the above reasons, Applicants respectfully request that species 1-4 be treated as a single species and that claims 1-16 and 25-30 be prosecuted concurrently under this single species.

If the Examiner does not accept this reasoning, Applicants respectfully request that species 1-3 be treated as a single species and that claims 1-16 and 25-30 be prosecuted concurrently under this single species.

If the Examiner does not accept this reasoning, Applicants respectfully request that species 2 and 3 be treated as a single species and that claims 1-16 and 25-30 be prosecuted concurrently under this single species.

If the Examiner does not accept this reasoning, Applicants respectfully request that species 2 be prosecuted alone by prosecuting claims 1-7, 11-13, and 25-30.

If the Examiner has any questions, he or she is requested to contact the undersigned representative by telephone at 512-306-7644.

Respectfully submitted,

BLAKELY, SOLOKOFF, TAYLOR & ZAFMAN, LLP

Date: 10 - 30 - 02


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TITLE: ELECTROMAGNETIC COUPLER ALIGNMENT

ACTION TAKEN: RESPONSE TO
RESTRICTION IN OFFICE ACTION DATED
OCTOBER 2, 2002.

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